



DECLARATION

INVENTORSHIP IDENTIFICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

Energy Efficiency Measuring System and Reporting Methods

TITLE OF INVENTION

SPECIFICATION IDENTIFICATION

the specification of which:

- (a) is attached hereto.
- (b) was filed on February 8, 2001, as Serial No. 09/779,266
 and was amended on (if applicable).
- (c) was described and claimed in PCT International Application No. filed on
 and was amended on . (if applicable).

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.

PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d) (Prior Foreign/Pct Application(S) Filed Within 12 Months (6 Months For Design) Prior To This Application)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate(s) or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate(s) or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

Application Number	Country or PCT	Date Of Filing (Day, Month, Year)	Priority not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/>

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. § 119(e)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S) UNDER 35 U.S.C. 120

(All Foreign Application(S), If Any, Filed More Than 12 Months
(6 Months For Design) Prior To This U.S. Application)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or 365(c) PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

U.S Parent Application No.	PCT Parent Application No.	Date Of Filing (Day, Month, Year)	Parent Patent No. (If applicable)

DECLARATION

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom.

SIGNATURE(S)

Inventor(s)

Teresa (GIVEN NAME)	S. (MIDDLE INITIAL OR NAME)	Kishlock FAMILY (OR LAST NAME)
Inventor's signature		
Date	5/8/01	Country of Citizenship USA
Residence	3151 School Road MULLEYSVILLE PA 15668	
Post Office Address		

Rand (GIVEN NAME)	A (MIDDLE INITIAL OR NAME)	Warsaw FAMILY (OR LAST NAME)
Inventor's signature		
Date	5/2/01	Country of Citizenship USA
Residence	138 KILBUCK DR MONROEVILLE PA 15146	
Post Office Address:	MONROEVILLE PA 15146	

Laura (GIVEN NAME)	S (MIDDLE INITIAL OR NAME)	Lewis FAMILY (OR LAST NAME)
Inventor's signature		
Date	5/2/01	Country of Citizenship USA
Residence	208 Chris Drive Irwin PA 15642	
Post Office Address:	" "	

Vijay (GIVEN NAME)	P (MIDDLE INITIAL OR NAME)	Parmar FAMILY (OR LAST NAME)
Inventor's signature		
Date	5/2/2001	Country of Citizenship INDIA
Residence	148-2A Oakville Drive Pittsburgh, PA 15220	
Post Office Address:		

- Signature by administrator(trix), or legal representative for deceased or incapacitated inventor. Number of pages added _____.
- Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____.
- Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47) Number of pages added _____.

- Authorization of attorney(s) to accept and follow instructions from representative.
- This declaration ends with this page.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
37 C.F.R. § 3.73(b) Statement

Applicants: Warsaw et al.

For: Energy Efficiency Measuring System and Reporting Methods

Serial No.: 09/779,266 Filed: February 8, 2001

Weatherwise USA, LLC (a Delaware corporation) is the assignee of the entire right, title and interest in the patent identified above by virtue of either:

- A. An assignment from the inventor(s) of the patent identified above. The assignment was recorded in the United States Patent and Trademark Office on _____ at Reel_____, Frame_____, or for which a copy thereof is attached.

OR

- B. A chain of title from the inventor(s) of the patent application identified above to the current assignee as shown below:

1. From _____ To: _____

The document was recorded in the United States Patent and Trademark Office on _____ at Reel ___, Frame _____, or for which a copy thereof is attached.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Power Of Attorney

I hereby revoke all previous powers of attorney, if any, and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Michael G. Biro	Reg. No. 46,556	James R. Kyper	Reg. No. 27,346
Roberto Capriotti	Reg. No. 46,599	Michael D. Lazzara,	Reg. No. 41,142
Maria Comninou	Reg. No. 44,626	Mark R. Leslie,	Reg. No. 36,360
George D. Dickos,	Reg. No. 30,048	Franklin B. Molin,	Reg. No. 37,397
Thomas J. Edgington,	Reg. No. 34,324	Robert A. Muha,	Reg. No. 44,249
Christine R. Ethridge,	Reg. No. 30,557	Donald R. Palladino	Reg. No. 46,976
Jesse A. Hirshman,	Reg. No. 40,016	Jonathan C. Parks,	Reg. No. 40,120
James M. Joyce,	Reg. No. 43,700	Bernard G. Pike	Reg. No. 46,993
Mark G. Knedeisen,	Reg. No. 42,747	Benjamin T. Queen, II	Reg. No. 41,260
William E. Kuss,	Reg. No. 41,919	David Schramm	Reg. No. 41,295
		Robert D. Yeager	Reg. No. 25,047

Please Direct All Correspondence to: Jonathan C. Parks, Esquire
Kirkpatrick & Lockhart, LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222-2312

Declaration

I hereby declare that my presentation of this paper constitutes a certification under 37 C.F.R § 10.18, which provides, in part, that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application and any patent issuing therefrom.

Date 5/2/01

Signature Rand Warsaw

Name Rand Warsaw

Title Vice President of Operations



Attorney's Docket No. 001103

PATENT

- For: U.S. and/or Foreign Rights
For: U.S. Application or
 U.S. Provisional Application
For: U.S. Patent
For: PCT Application
By: Multiple Inventors

ASSIGNMENT OF INVENTION (MULTIPLE INVENTORS)

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS (Inventors):

Teresa Kishlock

(type or print name of inventors)

3151 School Road Murrysville PA 15668 USA

Address

Nationality

Rand Warsaw

138 K12 Buck Monroeville PA 15146 USA

Laura Lewis

208 Chris Dr. Irwin PA 15642 USA

Vijay Parmar

148-2A Oakville Dr. Pittsburgh PA 15220 INDIA



hereby sells, assigns and transfers to

ASSIGNEE:

Weatherwise USA, LLC
(type or print name of ASSIGNEE)

One North Shore Center
Address

(a Delaware corporation)
Nationality

12 Federal Street, Pittsburgh, PA 15212

and the successors, assigns and legal representatives of the ASSIGNEE

(complete one of the following)

the entire right, title and interest

an undivided _____ percent (____%) interest for the United States
and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

and in all foreign countries, including all rights to claim priority, in and to any and all
improvements which are disclosed in the invention entitled:

Energy Efficiency Measuring System and Reporting Methods

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in

(a) U.S. patent application executed on even date herewith

(b) U.S. patent application executed on _____

(c) U.S. provisional application naming the above inventor(s) for the above-entitled invention

Express mail label no.: _____

Mailed: _____

To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below,
hereby authorize and request my attorney to insert below the filing date and application
number when they become known.

(d) U.S. application no.: 09/779,266 filed on February 8, 2001

(e) International application no. PCT / _____ /
filed on _____

(f) U.S. patent no. _____ issued _____

A change of address to which correspondence is to be sent regarding patent
maintenance fees is being sent separately.

(also check (g), if foreign application(s) is also being assigned)

(g) and any legal equivalent thereof in a foreign country, including the right to claim priority and, in
and to, all Letters Patent to be obtained for said invention by the above application or any
continuation, division, renewal, or substitute thereof, and as to letters patent any reissue or re-
examination thereof.



ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal this

5/2/01

Date of signing

WARNING: The date of signing must be the same as the date of execution of the application, if item (a) was checked above.

Teresa Kishlock

(type name of Inventor)

Signature of INVENTOR

Rand Warsaw

Laura Lewis

Vijay Parmar

Notarization or Legalization Page Added.

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.



Practitioner's Docket No. 001103

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kishlock et al.

Application No.: 09/779,266

Filed: February 8, 2001

For: ENERGY EFFICIENCY MEASURING SYSTEM AND REPORTING METHODS

Commissioner for Patents
Washington, DC 20231

STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO
IS THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION

NOTE: This form is to be used when the declaration only indicates the name(s) of the inventor(s) and the title of the invention. Notice of September 12, 1983, 1035 O.G. 3.

I,

Jonathan C. Parks

Name of Practitioner

Kirkpatrick & Lockhart LLP

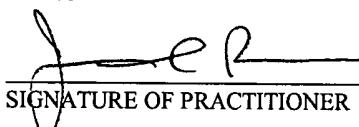
P.O. Address

Henry W. Oliver Building, 535 Smithfield Street, Pittsburgh, Pennsylvania 15222-2312

Reg. No. 40,120

Tel. No. (412) 355-6288

state I am the registered practitioner for this application and the application identified above is the application that the inventor(s) executed by signing the declaration that is being submitted herewith.


SIGNATURE OF PRACTITIONER

Customer No.:

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

transmitted by facsimile to the Patent and Trademark Office.

Date: _____

Signature _____

(type or print name of person certifying)

(Statement by Practitioner That Application Filed in PTO is the One Inventor Executed by Signing Declaration

[5-10])



DECLARATION OR OATH

- II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

NOTE: *If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63, the later submission of an executed oath or declaration under § 1.63 during the pendency of the application will act to correct the earlier identification of inventorship. 37 C.F.R. § 1.48(j)(1).*

OR

- The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

NOTE: *For surcharge fee for filing declaration after filing date complete item VI(3) below.*

NOTE: *"The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. 1.63:*

"(1) name of inventor(s), and application number (consisting of the series code and the serial number; e.g., 08/123,456);

"(2) name of inventor(s), serial number and filing date;

"(3) name of inventor(s) and attorney docket number which was on the specification as filed;

"(4) name of inventor(s), title which was on the specification as filed and filing date;

"(5) name of inventor(s), title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(6) name of inventor(s), title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number; e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

Notice of Jul. 13, 1995 (1177 O.G. 60); M.P.E.P. § 601.01(a), 6th ed., rev. 3.

NOTE: *Another minimum found acceptable in the declaration is the filing date (i.e., date of express mail) and the express mail number, useful where the serial number is not yet known. But note the practice where the express mail deposit is a Saturday, Sunday or holiday within the District of Columbia. 37 C.F.R. 1.10(c).*

(complete (c) or (d), if applicable)

Attached is a

- (c) Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT CANCELLING CLAIMS

- III. Cancel claims _____ inclusive.